

APPENDIX A

Hearing Required for Parole Revocation by State

State	I			
	Statute Req. Some Hearing	II Statute Does Not Req. Hearing	III Decision Req. Some Hearing	IV Decision Does Not Req. Hearing
Alabama	Ala. Code tit. 42, §12 (1958)			
Alaska	Alaska Stats. §33-15-220 (1962)			
Arizona	Ariz. Rev. Stats. Ann. §31-417 (1939)			
Arkansas	Ark. Stats. Ann. §43-2810 (1968)			
California		Calif. Penal Code §3060 (1947)		<i>In re Gomez</i> , 64 C.2d 591, 51 Cal. Rptr. 97, 414 P.2d 33 (1966)
Colorado		Colo. Rev. Stats. §39-17-4 (1969)	<i>Hutchinson v. Patter- son</i> , 267 F. Supp. 433 (D. Colo. 1967)	
Connecticut		Conn. Gen. Stats. §54-126 (1967)	<i>U. S. ex rel. Bey v. Conn. Bd. Parole</i> , 448 F.2d 1079 (2d Cir. 1971)	

IV
Decision Does Not
Req. Hearing

III
Decision Req.
Some Hearing

II
Statute Does Not
Req. Hearing

I
Statute Req.
Some Hearing

State

Delaware Del. Code Ann. tit. II

§4352 (1964)

Florida

Fla. Stats. Ann.

§947.23 (1) (1955)

Georgia

Ga. Code Ann.

§77-519 (1965)

Hawaii

Hawaii Rev. Stats.

§353-66 (1967)

Idaho

Idaho Code §§20-229,

20-229A (1970)

Illinois

Ill. Ann. Stats.

ch. 108 §205

(1970)

Indiana

Ind. Stats. Ann.

§13-1611 (1961)

Iowa

Iowa Code Ann.

§247.9 (1967)

§247.28 (1924)

Kansas

K.S.A. §22-3721

(1970)

Morrissey v. Brewer,
443-F.2d 942 (8th
Cir. 1971)

Kentucky

Ky. Rev. Stats. Ann.
§§439.330(1) (e),
(1956)
439.430(1), (1966)
439.440 (1956)

Louisiana

La. Rev. Stats.
§15.574.9 (1968)

Maine

Me. Rev. Stats. Ann.
ch. 34 §1675
(1969)

Maryland

Md. Ann. Code
art. 41 §117 (1957)

Massachusetts

Ann. Laws of Mass.
ch. 127 §§148, 149
(1946)

*Martin v. State Bd.
of Parole*, 213 N.E.
2d 925 (Mass.,
1966), 350 Mass.
210

Michigan

Mich. Comp. Laws
Ann. §751.240(a)
(1968)

Minnesota

Minn. Stats. Ann.
§243.05 (1967)

Morrissey v. Brewer,
443 F.2d 942, 68th
Cir. 1971

Mississippi

Miss. Code Ann.
§4004.13 (1956)

State	I Statute Req. Some Hearing	II Statute Does Not Req. Hearing	III Decision Req. Some Hearing	IV Decision Does Not Req. Hearing
Missouri	Mo. Ann. Stats. §549.265 (1967)			
Montana	Mont. Rev. Code §§94-9838, 94-9835 (1955)			
Nebraska		Neb. Rev. Stats. §§83-1120, 83-1121 (1969)	<i>Brown v. Sigler</i> , 186 Neb. 800, 186 N.W. 2d 735 (1971)	
Nevada		Nev. Rev. Stats., ch. 213.150, 213.110(1) (1969)		att'y gen. opinion AGO 228 (6-14- 1961) 3 Ann. to Nev. Rev. Stats. 834 (1968)
New Hampshire	N.H. Rev. Stats. Ann. §607:46 (1939)			
New Jersey		N.J.S.A. 30:4-123.23 (1963)	<i>State v. Holmes</i> , 109 N.J. Super. 180, 262 A.2d 725 (1970)	
New Mexico	N.M. Stats. Ann. §41-17-28 (1963)			

New York

Cons. Laws of N. Y.
Correction Law
§212 (1970)

North Carolina

N.C. Gen. Stats.
§148-61.1 (1955)

*Beardon v. State of
So. Carolina*, 443
F.2d 1090 (4th
Cir. 1971)

North Dakota

N.D. Cent. Code
12-59-15 (1963)

Ohio

Ohio Rev. Code Ann.
§2967.15 (1965)

In re Varner, 166
Ohio St. 340, 142
N.E.2d 846 (1957)

Oklahoma

Okl. Stats. Ann.,
tit. 57 §346 (1910)
tit. 57 §332.12
(1949)
tit. 57 §516 (1967)

Murray v. Page, 429
F.2d 1359 (10th
Cir. 1970)

Oregon

Ore. Rev. Stats.
§§144.340-144.370
(1969)

Whalen v. Gladden,
249 Or. 12, 436
P.2d 560 (1968)

*People ex rel. Men-
chino v. Warden*,
27 N.Y.2d 376, 267
N.E.2d 238, 318
N.Y.S.2d 449
(1971)

State	I		II		III		IV	
	Statute Req. Some Hearing	Pa. Stats. Ann. tit. 61 §§ 331.21 (1951) tit. 61 §§ 331.21a (1957)	Statute Does Not Req. Hearing	R.I. Gen. Laws § 13-18 (1956)	Decision Req. Some Hearing	Beardon v. So. Caro. 443 F.2d 1090 (4th Cir. 1971)	Decision Does Not Req. Hearing	State v. Pasano, 96 R.I. 472, 194 A.2d 680 (1963)
Pennsylvania								
Rhode Island								
So. Carolina								
So. Dakota								
Tennessee								
Texas								
Utah								

Tenn. Code
§ 40-3619 (1955)

Texas Code of Crim.
Proc. art. 42.12 § 22
(1965)

Utah Code Ann.
§ 77-62-38 (1953)

Beal v. Turner, 22
Utah 2d 418, 454
P.2d 624 (1969)

S.D. Comp. Laws
§ 23-60-22 (1964)

Morrissey v. Brewer,
443 F.2d 442 (8th
Cir. 1971)

- Vermont Vermont Stats. Ann.
tit. 28 §108F
(1968)
- Virginia Beardon v. So. Carolina, 443 F.2d 1090
(4th Cir. 1971)
- Washington Wash. Rev. Code
§§9,95,120 through
9,95,126 (1969)
- West Virginia W. Va. Code
§62-12-19 (1959)
- Wisconsin Wis. Stats. Ann.
§57.06(3) (1965) *Goolsby v. Gagnon*,
322 F. Supp. 460
(E.D. Wis. 1971)
- Wyoming Wyo. Stats. §7-325 *Murray v. Page*, 429
(1971), §7-326 F.2d 1359, 10th
(1947) Cir. 1971)